

From: Brent Cook
To: Microsoft ATR
Date: 1/23/02 10:34am
Subject: Microsoft Settlement

To Whom it Concerns,

I have read the proposed settlement in the Microsoft antitrust trial and am opposed to it. The settlement does not remedy the actions currently being committed by Microsoft, nor does it inhibit its ability to commit similar actions in the future. Many of the provisions are vaguely worded and do little to reduce Microsoft's status as a monopoly.

For instance, provision C.3 states that Microsoft may restrict any OEM licensee from automatically launching at boot time any product that has a user interface of similar size and shape to a user interface provided by a Microsoft Middleware Product. This provision does not prevent Microsoft from producing a product that matches the size and shape of any other vendor's product, thereby excluding its inclusion as an automatically launched product by an OEM. Skinning technology such as that used in Microsoft Media Player would suit this purpose well for Microsoft.

I have the utmost concerns, however, with section J.1. This section prohibits a Final Judgement from requiring Microsoft to document, disclose or license to third parties portions of APIS or Documentation or portions or layers of Communications Protocols that would "compromise security of a particular installation or group of installations of anti-piracy, anti-virus, software licensing, digital rights management, encryption or authentication systems..." This provision allows Microsoft to prevent product interoperability with any third party vendor's product which provides security, digital rights management, anti-virus, encryption, communication or authentication services. In short, Microsoft is under no obligation to provide documentation for APIs required for any other product to share files, play digital media, communicate, authenticate or interoperate with any future Microsoft Operating System, Application or Middleware.

Please consider this my vote against the proposed Microsoft antitrust settlement and my vote for a stronger, more specific settlement that opens Microsoft to competitors and eliminates its monopoly status.

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